

CRAIG MENDENHALL	§	
v.	§	CIVIL ACTION NO. 5:07cv44
WARDEN JOSEPH WILSON, ET AL.	§	

The Plaintiff Craig Mendenhall, a state prisoner proceeding *pro se*, filed this civil rights lawsuit under 42 U.S.C. §1983 complaining of alleged deprivations of his constitutional rights. This Court ordered that the matter be referred to the United States Magistrate Judge pursuant to 28 U.S.C. §636(b)(1) and (3) and the Amended Order for the Adoption of Local Rules for the Assignment of Duties to United States Magistrate Judges.

On March 12, 2010, the Defendants' motion for summary judgment was granted and the lawsuit was dismissed with prejudice. Mendenhall filed a motion to alter or amend the judgment under Rule 59, Fed. R. Civ. P., and the Magistrate Judge issued a Report recommending that this motion be denied. Mendenhall received a copy of this Report on or before June 22, 2010, but filed no objections thereto; accordingly, he is barred from *de novo* review by the district judge of those findings, conclusions, and recommendations and, except upon grounds of plain error, from appellate review of the unobjected-to proposed factual findings and legal conclusions accepted and adopted by the district court. Douglass v. United Services Automobile Association, 79 F.3d 1415, 1430 (5th Cir. 1996) (*en banc*).

The Court has reviewed the pleadings and the Report of the Magistrate Judge in this case and has determined that this Report is correct. It is accordingly

ORDERED that the Report of the Magistrate Judge (docket no. 84) is hereby ADOPTED as the opinion of the District Court. It is further

ORDERED that the Plaintiff's motion to alter or amend the judgment (docket no. 83) is hereby DENIED.

SIGNED this 18th day of August, 2010.

A handwritten signature in black ink, appearing to read "David Folsom", written over a horizontal line.

DAVID FOLSOM
UNITED STATES DISTRICT JUDGE